

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BONNIE LEE THOMPSON,

Plaintiff,

v.

Case No. 8:19-cv-124-T-60JSS

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the “Report and Recommendation” of United States Magistrate Judge Julie S. Sneed, entered on January 15, 2020. (Doc. 20). In her well-reasoned report, Judge Sneed recommends that: (1) the decision of the Commissioner of Social Security be reversed and the case be remanded under sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the recommendations set forth above; and (2) the Clerk be directed to enter judgment consistent with the report and recommendation. On January 29, 2020, Plaintiff Bonnie Lee Thompson filed an objection to the report and recommendation. (Doc. 21). Defendant Commissioner filed a response to the objections on February 12, 2020. (Doc. 22). Upon review of the report and recommendation, objection, response, court file, and record, the Court finds as follows:

Under the Federal Magistrates Act, Congress vests Article III judges with the power to “designate a magistrate judge to hear and determine any pretrial matter

pending before the court,” subject to various exceptions. 28 U.S.C. § 636(b)(1)(A). The Act further vests magistrate judges with authority to submit proposed findings of fact and recommendations for disposition by an Article III judge. 28 U.S.C. § 636(b)(1)(B). After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982).

In the absence of specific objections, there is no requirement that a district judge review the facts *de novo*. *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). However, the district judge reviews legal conclusions *de novo*, even in the absence of an objection. *See Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994); *Castro Bobadilla v. Reno*, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), *aff’d*, 28 F.3d 116 (11th Cir. 1994) (table). When no timely and specific objections are filed, the district judge should review the magistrate judge’s proposed findings and recommendations using a clearly erroneous standard. *See Gropp v. United Airlines, Inc.*, 817 F. Supp. 1558, 1562 (M.D. Fla. 1993).

After careful consideration of the record, including Judge Sneed’s well-reasoned report and recommendation, the Court adopts the report and recommendation. The Court agrees with Judge Sneed’s detailed factual findings and well-reasoned legal conclusions.

It is therefore

ORDERED, ADJUDGED, and DECREED:

1. Judge Sneed's "Report and Recommendation" (Doc. 20) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
2. The decision of the Commissioner of Social Security is **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.
3. The Clerk is directed to enter final judgment in favor of Plaintiff Bonnie Lee Thompson and against the Commissioner of Social Security and thereafter **CLOSE THIS CASE.**

DONE and **ORDERED** in Chambers in Tampa, Florida, this 5th day of March, 2020.



TOM BARBER
UNITED STATES DISTRICT JUDGE